

REMARKS

This paper is submitted in response to the Office Action dated January 7, 2011, wherein (a) claims 1-3, 5-11, and 13-15 were pending; (b) claims 1-3, 5-11, and 13-15 were rejected as lacking written descriptive support and enablement; (c) claims 1, 5-10, and 15 were rejected as being obvious over Bright (EP 1122173) in view of Erich (WO 03/024861), and further in view of Hashiguchi (US 2002/0161467); and (d) claims 2, 3, 5-10, 11, 13, 14, and 15(2, 3) were rejected as obvious over Bright, Erich, and Hashiguchi, and further in view of Kjellborg (US 2004/0024867) or O'Toole (US 6,345,294).

By way of this paper, claims 1, 3, and 5-11 are currently amended and claim 2 is canceled. Support for the language added to claims 1, 3, and 11 can be found in paragraph [0013] of the published version of the present application (i.e., US 2007/0163697), for example. Claims 5-10 are merely amended for consistency. Claims 1, 3, 5-11, 13-15 remain pending and at issue.

Prompt and favorable consideration of the application, as amended, is respectfully requested.

INTERVIEW SUMMARY

The applicant thanks the examiner for the courtesies extended during the telephonic interview with applicant's representative on April 13, 2011. The applicant further acknowledges receipt of the Examiner's Interview Summary dated April 20, 2011, and notes that the interview was conducted by Michael P. Furmanek and not Richard B. Hoffman, as indicated therein. During the interview, independent claims 1, 2, 3, and 11 were discussed, as well as the teachings of Bright, Erich, and Hashiguchi. Moreover, the outstanding rejections under 35 U.S.C. section 112 were discussed. While no specific agreement was reached, the examiner encouraged applicant's representative to submit formal remarks reflective of the interview discussion and the remarks would be considered in detail.

35 U.S.C. §112 REJECTIONS

As mentioned, claims 1-3, 5-11, and 13-15 stand rejected as lacking written descriptive support and enablement. Specifically, the office action indicates that the

specification fails to describe and enable address information being assigned to plug receptacles of the conveyance device.

With respect to the written descriptive support aspect of the rejection, the applicants respectfully submit that the application expressly describes that each plug receptacle includes a preset address assigned thereto. Specifically, paragraph [0034] states “[t]hus up to six plug receptacles for up to six labeling units may be provided on the conveyance device. A preset address information may be assigned to each plug receptacle and then issued to the corresponding labeling unit plugged in there.” Accordingly, the applicants respectfully request reconsideration and withdrawal of this written descriptive support rejection.

Regarding the enablement rejections, the applicants generally confirm that the structural components required to perform the claimed limitations are the device 22 including control unit 10 having a memory, IP addresses stored on the memory, each address being exclusively assigned to one of a plurality of plug receptacles. Additionally, the labeling units include control units 11-13 connectable to the control unit 10 via lines 14, 15 for providing the recited communication with the control unit 10. From this disclosure, a person having ordinary skill in the art would understand that the memory of the control unit 10 stores the IP addresses in a manner that each is exclusively assigned to one of the plug receptacles. In line with this understanding, each of independent claims 1, 3, and 11 are amended herein to expressly define the conveyance device as including a memory storing the address information. As such, the applicant respectfully submits that the disclosure enables the claimed arrangements and respectfully requests withdrawal of the enablement rejections.

35 U.S.C. §103 REJECTIONS

As a result of the aforementioned amendments to the claims, independent claims 1, 3, and 11 remain pending. Claim 1 stands rejected over Bright, Erich, and Hashaguchi, and claims 3 and 11 stand rejected over Bright, Erich, Hashaguchi, and further in view of either Kjellborg or O’Toole.

Inn summary, the applicants submit that the present disclosure is directed toward a labeling method and system that includes a conveyance device for conveying

containers and a plurality of labeling units for applying labels to the conveyed containers. To increase the versatility of the system, the labeling units are removably connected to plug receptacles of the conveyance device (e.g., exchangeable) such that one or more labeling units can be exchanged for a different labeling unit, for example, to meet the demands of different processing parameters. To automate this process, the conveyance device includes a memory and a plurality of IP addresses stored on the memory. Each IP address is exclusively assigned to one of the plug receptacles such that upon connecting a labeling unit to any given plug receptacle, the conveyance device automatically assigns the IP address associated with that plug receptacle to the labeling unit. Once the labeling unit is assigned an IP address, the labeling unit can transmit the needed identification data to the conveyance device to facilitate communication and cooperation between these components. According to the disclosure and claims, the labeling unit identification data can include information distinguishing each labeling unit such as an electronic nameplate, which includes the type of machine, the commission number, or the software version. So configured, the claimed conveyance device and system advantageously enables the use and automatic identification of different labeling units, which increases the versatility and changeover efficiency of the overall configuration.

The applicants respectfully submit that none of the cited prior art, either alone or in combination, teaches or suggests each and every feature recited in independent claims 1, 3, and 11.

Independent Apparatus Claims 1 and 3

Each of independent claims 1 and 3 recites a device comprising a conveyance device to which labeling units are adapted to be connected. The conveyance device includes multiple plug receptacles, a memory, and preset address information assigned to each of the plug receptacles. The office action concedes that neither Bright, Erich, Kjellborg, nor O'Toole discloses a conveyance device with multiple plug receptacles having preset address information assigned thereto. As such, the office action introduces Hashaguchi as allegedly disclosing this feature, and asserts that it would have been obvious to combine the teachings of Hashaguchi with Bright and Erich, for example, to arrive at the claimed invention to form an inexpensive production management system for labeling the containers and system for

checking operation conditions of the conveyance device and the at least one labeling unit.
See Office Action, page 6.

The applicants respectfully submit that the Office Action misinterprets and misapplies the teachings of Hashiguchi, the asserted suggestion to combine the reference teachings is flawed, and there is no proper suggestion to combine the cited references.

Hashiguchi discloses a production management system that utilizes a plurality of cameras in different locations for checking operation conditions. The system generally includes a plurality of apparatuses for packaging including a combination weigher 22a, a bagger 2b, a weight checker 2c, a seal checker 2d, and a packager 2e. Each of these apparatuses 2a-2e is disclosed as including a remote control unit (RCU) 3 in communication over a network with one or more informational terminals. In paragraph [0138], Hashiguchi describes that at least apparatuses 2a-2d are assigned unique addresses set on a LAN, for example, or set through a Dynamic Host Configuration Protocol (DHCP). From this description, a person having ordinary skill in the art would understand that Hashiguchi discloses both static address allocation and dynamic address allocation protocols. In the static protocol, the apparatuses 2a-2d themselves are assigned fixed addresses that do not change. In the dynamic protocol, the one or more informational terminals or other central servers, for example, store a table of available IP addresses, and in order to establish a communication path, each apparatus must first request an IP address from the informational terminal. The information terminal then dynamically assigns a new unique address to the apparatus each time a communication path is established. That is, the information terminal either generates a new IP address using a random number generator or retrieves an available IP address from a bank or table of IP addresses. When using the bank or table, the terminal would select the next available IP address for assignment, based on what other IP addresses are currently being used and are not being used. Thus, the assignment of IP addresses using the DHCP protocol of Hashiguchi relies entirely on *when* any given apparatus is connected to the information terminal or other server. Neither of the foregoing address allocation protocols includes a central device (e.g., a conveyance device) having multiple plug receptacles, each with a fixed address assigned thereto, as recited in independent apparatus claims 1 and 3 of the present application.

More specifically, as mentioned above, the conveyance device of the present application includes a memory and multiple plug receptacles, each of which includes a preset IP address assigned thereto and which is stored in the memory. The labeling units themselves do not store the IP addresses and, as such, cannot be equated to the embodiment disclosed by Hashiguchi where each of the apparatuses 2a-2d includes a fixed and constant IP address. Moreover, the conveyance device does not assign IP addresses to the labeling units according to the DHCP protocol disclosed by Hashiguchi. Rather, the IP addresses are preset and fixedly assigned to the plug receptacles. The IP address assigned to any given labeling unit depends on the specific plug receptacle to which that labeling unit is connected. In the DHCP system disclosed by Hashiguchi, the IP address assigned to any given labeling unit would depend only on the timing of the connection, while the address allocation of claim 1 depends on the position of the connection.

Accordingly, the applicant submits that the combination of Bright, Erich, Hashiguchi, and Kjellborg or O'Toole fails to disclose plug receptacles with assigned preset addresses, as recited in independent claims 1 and 3, and the obviousness rejections should be withdrawn.

Additionally, the applicant submits that claim 3 also positively claims the labeling units, which expressly include identification data including an electronic nameplate, the nameplate including the type of machine, the commission number or the software version number. Neither Bright, Erich, or any of the other references discloses or suggests a labeling unit having such information stored on a control unit. Accordingly, the outstanding obviousness rejection of claim 3 should be withdrawn for this additional reason.

Independent Method Claim 11

Independent claim 11 is directed to a method for connecting an exchangeable labeling unit to one of multiple plug receptacles of a conveyance device, wherein each plug receptacle has assigned thereto a preset IP address. Subsequent to connecting to a plug receptacle, the method includes automatically transmitting the preset address associated with that plug receptacle to the labeling unit such that the labeling unit can transmit identification

information to the conveyance device to expedite the changeover process and facilitate operation.

As discussed above, neither Bright, Erich, Hashiguchi, Kjellborg, nor O'Toole discloses or suggests a conveyance device having multiple plug receptacles, each having a preset address assigned thereto. Accordingly, none of these references can teach or suggest a method in accordance with claim 11, which includes transmitting the preset address associated with that plug receptacle to the labeling unit.

Therefore, the applicant kindly requests reconsideration and withdrawal of the outstanding obviousness rejection of independent claim 11 and its dependent claims.

In addition to the foregoing reasons supporting withdrawal of the obviousness rejections, the applicant further submits that any combination of Hashiguchi with Bright and/or Erich is improper because there is no suggestion in the prior art references or otherwise to modify either Bright or Erich to include a complex sophisticated network including IP address assignments. For example, Bright discloses a simple system with a carousel and one or more vacuum drums (which the office action equates to labeling units) permanently connected to the carousel. The system further includes a single computer communicating with the entire system, ensuring appropriate controls, etc. Because the vacuum drum of Bright is not disclosed as being exchangeable, Bright does not disclose or suggest any desire to establish a network-type connection between the vacuum drum and the carousel for transmitting identification information about the vacuum drum. Rather, this task, if ever undergone, can be easily accomplished upon initial set up through manual entry, for example, into the single computer communicating directly with both the carousel and the vacuum drum.

While Erich discloses exchangeable labeling units connected to a carousel, it does not suggest a need to gather information from the labeling units such as identification information, etc. Rather, the system merely communicates information needed to synchronize the cooperating components. For example, the control units employ rotation coordinating units 33 and 38 at the drive of the labeling units and the carousel, respectively. Reference 38 is further described as a set-point transmitter, which serves for measuring the

rotation angle of the carousel and, therewith, for controlling the motor of the labeling unit. The set-point transmitter does not change the rotation of the carousel. In fact, there does not seem to even be a mutual exchange of information between the coordinating units 33 and 38, but rather, simply a passing of information from the coordinating unit 38 of the carousel out to the labeling units 33. Consequently, the system disclosed by Erich is a relatively rudimentary system that would not require complex network components. Moreover, there is no suggestion to modify either Bright or Erich to include such complex network components. The office action asserts that it would have been obvious to combine the teachings of Hashiguchi with the teachings of Bright and Erich to arrive at the claimed invention because doing so would “form an inexpensive production management system...” Office Action, page 6. The applicant respectfully disagrees. Adding complexity to the connections of Bright and Erich would actually raise costs as it would require both hardware and software upgrades, the likes of which are neither suggested or indicated to be desirable by the teachings of Bright and Erich.

In view of this additional reasoning, the applicant kindly requests reconsideration and withdrawal of the outstanding obviousness rejections.

CONCLUSION

Applicant believes that each of the outstanding rejections, objections, and/or other concerns have either been accommodated, traversed, or rendered moot. Therefore, the application is considered in condition for allowance. Should there be any outstanding issues that the Office believes may be remedied via telephone conference, please contact the undersigned at (312) 474-6300.

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Respectfully submitted,

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